

MICHAEL J. MESIC

620 Hickory Hollow Rd.
Waterford, WI 53185

January 25, 2000

The Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

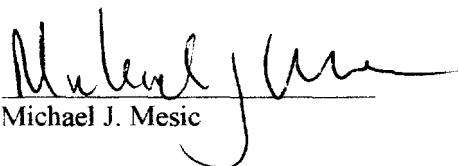
RECEIVED**JAN 27 2000****FCC MAIL ROOM**

Re: Petition for Rule Making to Amend Section 73.202(b)
New FM Assignment at Sister Bay, WI
Comments to Public Notice # 2378 and RM #9801 (Escanaba, MI)
Continuing MM Docket # 99-288


Dear Secretary:

Please find the enclosed in response to RM #9801 and the continuing MM Docket 99-288 proposal, originally submitted by myself, Michael J. Mesic, on June 9, 1999. After reviewing both submissions to my proposal to allocate Channel 286A to Sister Bay, Wisconsin as it's first commercial local service, I now present the enclosed and find it to be the best workable plan for all parties involved. As this is primarily in response to the proposed upgrade of service in Escanaba, I wanted to present a plan in which all would benefit, especially the citizens of Northern Door County. As summed up in Mr. Evans engineering survey, keeping the assignment of Channel 286A seems to be the most feasible plan both concerning timely construction and limited site locations of tower placement with the would be counterproposed Channel 295A. What follows is a carefully constructed plan to further the FCC's decision making process with new local service primarily in the forefront and providing all other petitioners a very fair plan.

Respectfully submitted,

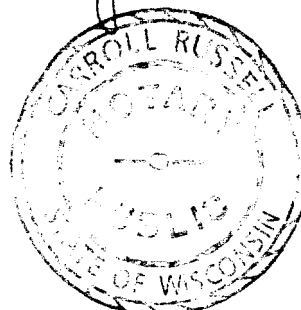

Michael J. Mesic

Subscribed and sworn to before me this 25th day of January, 2000.


Carroll Russell, Notary Public

My Commission expires 9/1/02

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ENGINEERING STATEMENT FCC MAIL ROOM

This Engineering Statement and the attached figures have been prepared by B. Benjamin Evans, P.E. of Evans Associates, Consulting Communications Engineers in Thiensville, Wisconsin. This exhibit supports the Comments and Counterproposal by Michael J. Mesic regarding MM Docket 99-288, a pending proposed rule making by Mr. Mesic for a new broadcast FM radio assignment at Sister Bay, Wisconsin.

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Michael J. Mesic has proposed the assignment of FM Channel 286A to Sister Bay, Wisconsin as that community's first commercial broadcast assignment. The purpose of this engineering exhibit is to address the concerns of Midwest Dimensions, Inc., licensee of WPCCK(FM), Channel 285A, Kaukauna, Wisconsin, and KMB Broadcasting, Inc., licensee of WYKX(FM), Channel 284C1, Escanaba, Michigan, both of whom filed comments and counterproposals in this proceeding.

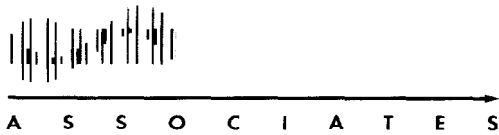
WPCCK(FM)

Midwest Dimensions, licensee of WPCCK, has a proposed rule making pending at the FCC to upgrade to Class C3 facilities on Channel 285, and change the community of license from Kaukauna to Denmark, Wisconsin. In its comments and counterproposal, Midwest Dimensions, expressed concern that the allotment of Channel 286A to Sister Bay would cause severe limitations in the availability of potential transmitter sites for its planned Channel 285C3 facility. Midwest Dimensions has counterproposed the allotment of Channel 295A in Sister Bay, in lieu of Channel 286A.

Mr. Mesic prefers to stay with Channel 286A at Sister Bay. However, it is proposed herein that the reference point coordinates be changed to the following:

N. 45°-14'-19"; W. 87°-05'-27"

The location described above, which is 6.4 kilometers north-northeast of Sister Bay, is an actual 500-foot tower owned by the State of Wisconsin. Two non-commercial FM stations currently transmit from this tower. It is the intention of Mr. Mesic to submit an FCC Form 301 application for construction permit to operate on Channel 286A, specifying the State of Wisconsin tower as the transmitter site. This site is, by far, the most workable site for a new FM station, and probably the only tower site available in the area.



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Sister Bay, WI

The proposed change in the reference point proposed herein will afford Midwest Dimensions an additional 6.4 kilometers of area to the north of its Class C3 reference point in which to locate a new transmitter site. Thus, Midwest Dimension's difficulty in finding a suitable transmitter site will be alleviated.

WYKX(FM)

KMB Broadcasting has proposed to upgrade WYKX, its station in Escanaba, Michigan, from a Class C1 facility to a Class C facility on Channel 284. The transmitter reference point it has proposed would short-space the proposed Channel 286A allotment at Sister Bay. However, with a change in the Channel 284C reference site, Channel 284C can be assigned to WYKX in Escanaba **without short-spacing the proposed Channel 286A Sister Bay allotment, even at the modified reference site.**

Attached as Figure 1 is an allocation study map showing that, with a new reference site, the allotment of Channel 284C at Escanaba would comply with the minimum distance spacings with respect to existing stations and the proposed Channel 286A allotment at Sister Bay, modified as proposed herein, and would comply with the community of license coverage requirement. Shown in this figure is the predicted 70 dBu contour resulting from facilities of 100 KW ERP and 300 meters antenna HAAT. It is seen that from the revised reference site, the facility would easily place a predicted 70 dBu signal over all of Escanaba.

The illustrative reference coordinates for Channel 284C in Escanaba are:

N. 46°-05'-31" ; W 87°-09'-50"

Attached Figure 2 shows that the change proposed herein to the proposed Channel 286A Sister Bay allotment would be in compliance with both the minimum distance spacings, including that of Channel 284C in Escanaba, modified as proposed herein, and the community of license coverage requirement. Thus, KMB's proposed upgrade to Channel 284C and Mr. Mesic's proposed Channel 286A allotment at Sister Bay can easily coexist.

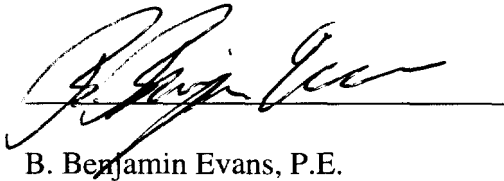
Therefore, it is the conclusion of this engineer that the concerns of all of the parties involved in this proceeding can be satisfied without changing the channel requested at Sister Bay.



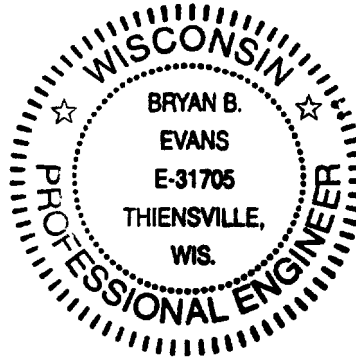
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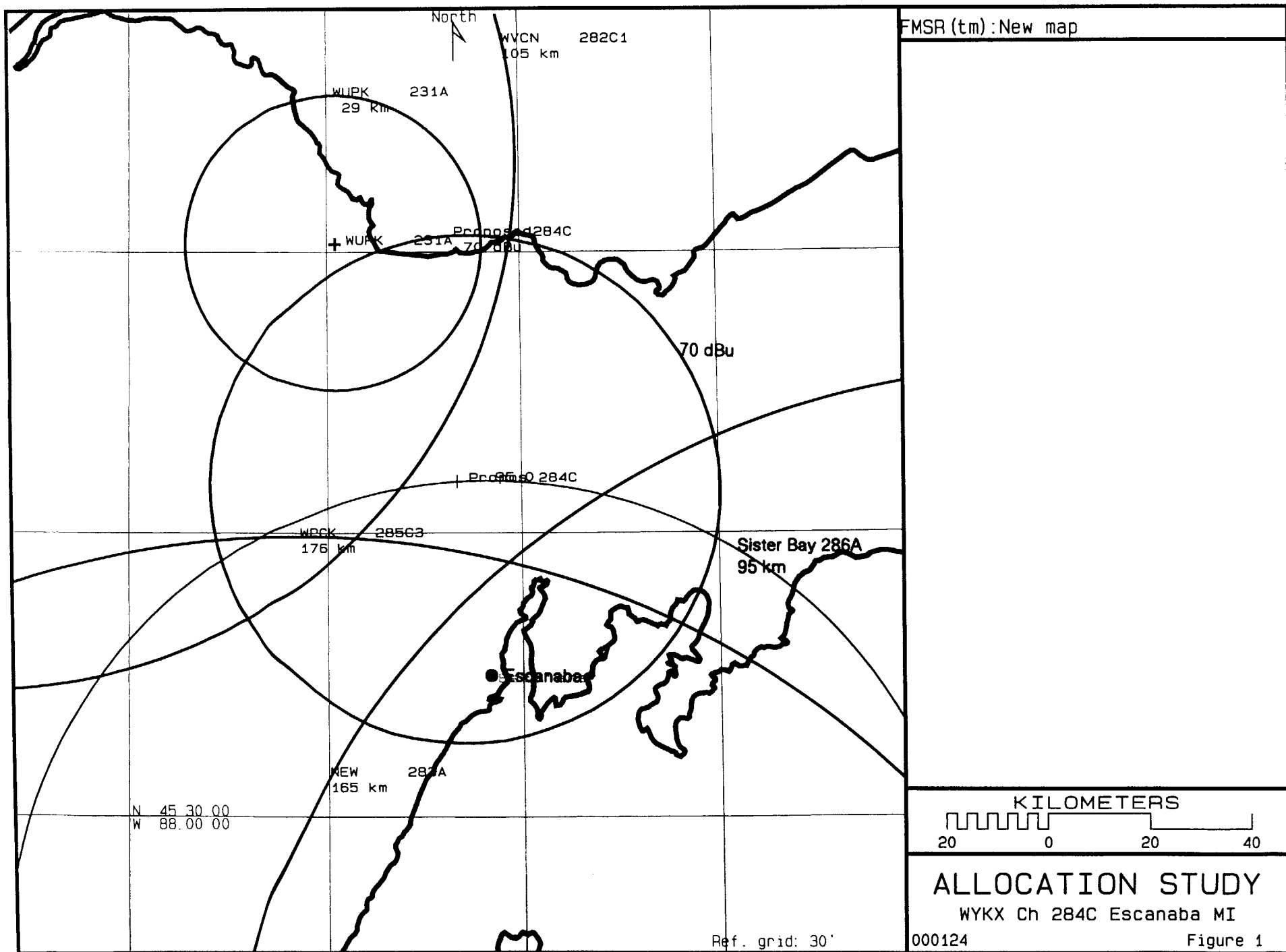
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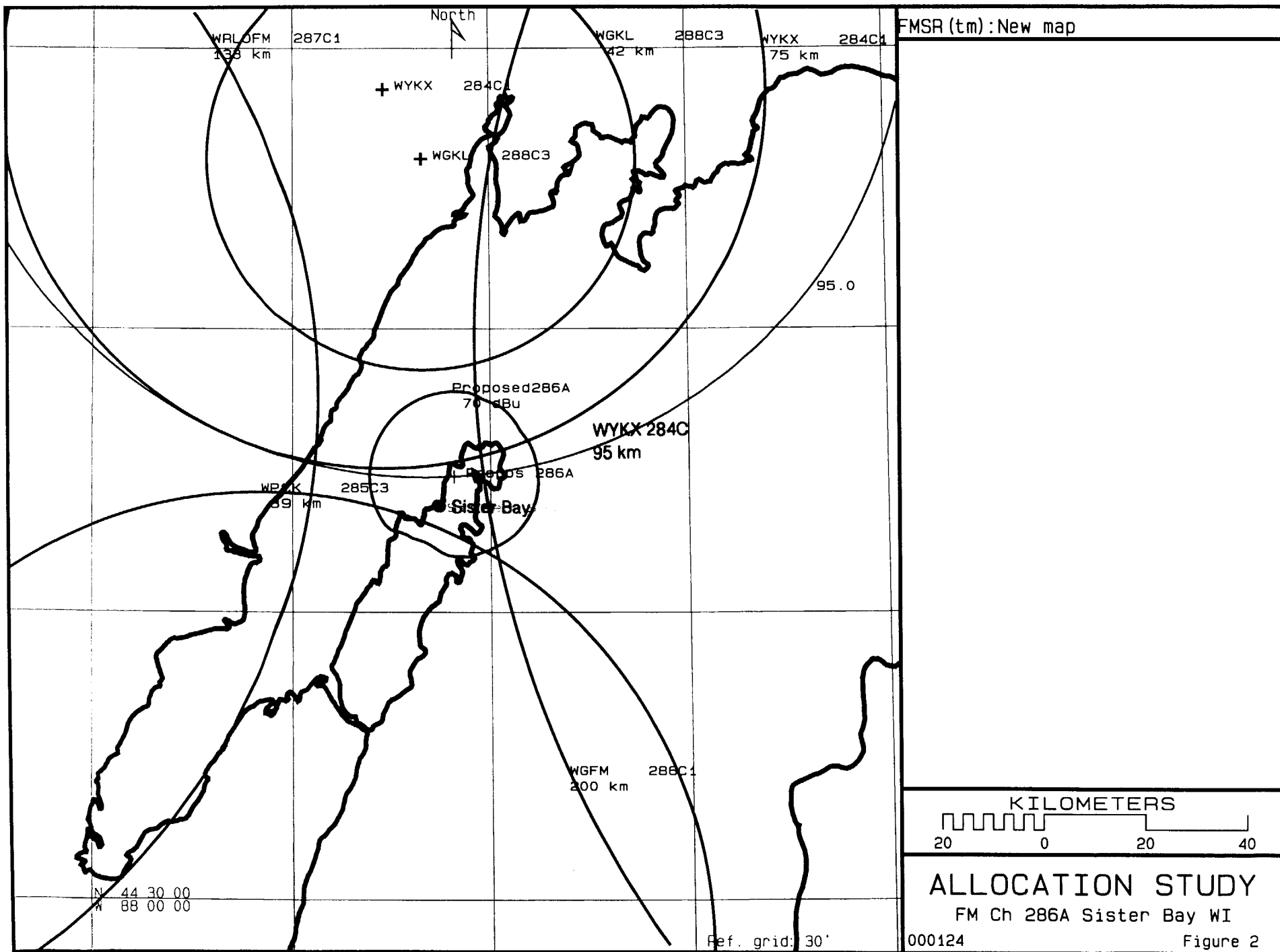
Respectfully Submitted,



B. Benjamin Evans, P.E.
Consulting Engineer





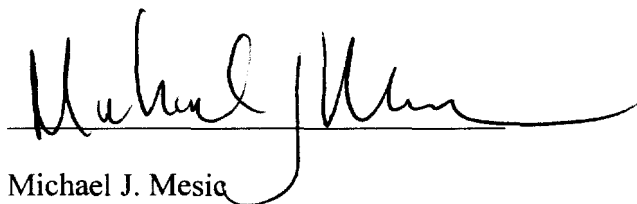


CERTIFICATE OF SERVICE

I, Michael J. Mesic, hereby certify that I have, on January 25, 2000, caused a copy of the attached Comments and Counterproposal to be mailed first-class, postage prepaid, to:

Mr. James R. Cooke
Harris, Beach & Wilcox
1776 K Street, N.W., Suite 300
Washington, DC 20006

Mr. Jason S. Roberts
Irwin, Campbell & Tannenwald, P.C.
1730 Rhode Island Ave., NW, Suite 200
Washington, DC 20036-3101

A handwritten signature in black ink, appearing to read "Michael J. Mesic", written over a horizontal line.

Michael J. Mesic